



Attorneys at Law

DIRECT DIAL: (212) 545-4047
EMAIL ADDRESS: LAURIK@JACKSONLEWIS.COM

Jackson Lewis LLP	ATLANTA, GA	LOS ANGELES, CA	PORTLAND, OR
59 Maiden Lane	BIRMINGHAM, AL	MIAMI, FL	PROVIDENCE, RI
New York, New York 10038	BOSTON, MA	MINNEAPOLIS, MN	Raleigh-Durham, NC
Tel 212 545-4000	CHICAGO, IL	MORRISTOWN, NJ	RICHMOND, VA
Fax 212 972-3213	CLEVELAND, OH	NEW ORLEANS, LA	SACRAMENTO, CA
www.jacksonlewis.com	DALLAS, TX	NEW YORK, NY	SAN FRANCISCO, CA
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October 17, 2008

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MEMO ENDORSED

VIA FEDERAL EXPRESS

Honorable Richard J. Sullivan
United States District Court
Southern District of New York
500 Pearl Street, Room 615
New York, NY 10007

Re: **Peter W. Lindner v. IBM Corporation, et al**
Index No. 06 CV 4751 (KMK)

Dear Judge Sullivan:

We are counsel for Defendants in the above referenced case. We received notification that a conference has been scheduled for October 20, 2008. We write to Your Honor to advise you of a scheduling conflict. On October 20, 2008, I am scheduled to attend and speak at a program for the Association of Corporate Counsel ("ACC") in Seattle, Washington. This is a long-standing commitment and the firm has purchased my airline tickets and made hotel reservations. Accordingly, we respectfully request an adjournment. Counsel for Plaintiff does not oppose this request. Counsel for Plaintiff and counsel for Defendants are available anytime on October 29, 2008, prior to 11 a.m. on October 31, 2008, anytime on November 3, 2008, and late afternoon on November 5, 2008. Thank you for your consideration.

Respectfully submitted,

JACKSON LEWIS LLP

Kevin G. Lauri
Kevin G. Lauri

KGL:sm

cc: Kenneth W. Richardson, Esq.
Dana Glick Weisbrod, Esq.

*Conference adjourned to
November 3, 2008 @ 9 A.M.*

SO ORDERED
Dated: 10/16/08 RICHARD J. SULLIVAN
U.S.D.J.

R. Sull